

Serial No. 10/724,115

Docket No. SI-0045

Amdt. dated May 18, 2006

Reply to Office Action of February 22, 2006

REMARKS

By the present response, Applicant has canceled claim 3 without disclaimer. Further, Applicant has amended claims 1, 2, 4, 5, 7, 9-12, 14, 24 and 25 to further clarify the invention. Claims 1, 2 and 4-30 are pending in this application. Reconsideration and withdrawal of the outstanding rejections and allowance of the present application are respectfully requested in view of the above amendments and the following remarks.

In the Office Action, claim 14 has been objected to because of informalities. Claims 1-2 and 5-20 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,954,444 (Ji et al.). Claims 3 and 4 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Ji et al., in view of U.S. Patent No. 6,466,795 (Ahn).

Claim Objections

Claim 14 has been objected to because of informalities. Applicant has amended this claim to further clarify the invention and respectfully requests that this objection be withdrawn.

35 U.S.C. § 102 Rejections

Claims 1, 2 and 5-30 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Ji et al. Applicant respectfully traverses these rejections.

Ji et al. discloses reallocating traffic channels in soft handout state where a channel resource allocator includes an overhead channel controller for reconfiguring a data traffic channel as an overhead channel upon failure of an overhead channel element in a base

transceiver station (BTS). The channel resource allocator determines if all data traffic channels of the BTS are in use, and if so, determines whether any of the existing calls being serviced by the data traffic channels are in a soft handoff state in which the call is connected simultaneously to two or more base transceiver stations, and if so, drops the connection to the BTS in which the overhead channel failure occurred, thereby freeing up the data traffic channel. The overhead channel controller may then reconfigure the dropped data traffic channel as an overhead channel, or the channel resource allocator may reallocate the dropped data traffic channel to handle a new incoming call from a mobile station.

Regarding claims 1, 14 and 24, Applicant submits that Ji et al. does not disclose or suggest the limitations in the combination of each of these claims of, *inter alia*, repeatedly requesting allocation of available resources by the call control processor until obtained, if the resource management processor fails to allocate resources upon receiving request for resource allocation.

On page 12, section 5 of the Office Action, the Examiner admits that Ji et al. does not disclose or suggest repeatedly requesting allocation of available resources if the allocation of resources fails. Accordingly, these rejections have been successfully traversed. However, since the Examiner asserts in the §103 portion of the Office Action that Ahn discloses these limitations, this reference will be discussed here.

Ahn discloses a resource allocation request method in a wireless system, including base station and terminals, that includes: periodically broadcasting resource information, managed by

the base stations, to the terminals; receiving and sorting the periodically-broadcast source information in the terminals; making a determination, in response to a resource allocation request, by comparing the parameter value of a resource, extracted from the stored resource information, with a preset critical value when a terminal receives a application command corresponding to the resource allocation request from a user; and, variable requesting resource allocation of the base stations according to the determinations by the terminals in response to the resource allocation request.

The Examiner asserts that Ahn discloses repeatedly performing resource allocation at col. 3, lines 55-67 and figure 4. However, these portions merely disclose that a terminal performs a resource allocation request decision algorithm using reproduced resource information that has been previously downloaded from a base station and if it is determined that the base station has the capability of processing a call request, the call request packet is transmitted to the base station. Otherwise, the algorithm is delayed for a predetermined time and the terminal performs the resource allocation request decision algorithm repeatedly since the terminal receives newly-broadcasted resource information from the base station, and the algorithm is delayed for a predetermined time to perform an allocation request determining algorithm on the basis of the new received source information. This is not repeatedly requesting allocation of available resources by the call control processor until obtained, if the resource management processor fails to allocate resources upon receiving request for resource allocation, as recited in the claims of

the present application. According to embodiments of the present invention, a call processor performs repeated requests for allocation of resources if a previous request is denied, thereby eliminating a terminal from having to perform this process. In contrast, Ahn discloses the terminal performing the resource allocation request decision algorithm repeatedly since the terminal periodically receives new resource information broadcasted from the base station. Clearly Ahn teaches against the limitations in the claims of the present application. Ahn does not disclose or suggest a call control processor repeatedly requesting allocation of available resources.

Regarding claims 2, 5-13, 15-23 and 25-30, Applicant submits that these claims are dependent on one of independent claims 1, 14 and 24 and, therefore, are patentable at least for the same reasons noted previously regarding these independent claims.

Accordingly, Applicant submits that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of each of claims 1, 2 and 5-30 of the present application. Applicant respectfully requests that these rejections be withdrawn and that these claims be allowed.

35 U.S.C. § 103 Rejections

Claims 3 and 4 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Ji et al. in view of Ahn. Applicant has canceled claim 3 therefore rendering this rejection moot. Regarding claim 4, Applicant submits that this claim is dependent on independent claim 1 and,

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therefore, is patentable at least for the same reasons noted previously regarding this independent claim.

Accordingly, Applicant submits that none of the cited references, taken alone or in any proper combination, disclose suggest or render obvious the limitations in the combination of claim 4 of the present application. Applicant respectfully requests that this rejection be withdrawn and that this claim be allowed.

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CONCLUSION

In view of the foregoing Amendments and remarks, Applicant submits that claims 1, 2, and 4-30 are now in condition for allowance. Accordingly, early allowance of such claims is respectfully requested. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, Frederick D. Bailey, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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